

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARBARA ANN KRAUTH,

Defendant.

Case No. CR09-3044

ORDER REGARDING
COMPETENCY HEARING

This matter comes before the Court on the Motion for Hearing Pursuant to 18 U.S.C. § 4241 (docket number 9) filed by the Defendant on January 13, 2010. Defendant requests that a hearing be held to determine her mental competency to stand trial, pursuant to 18 U.S.C. § 4241. The Government “does not resist” the motion. *See* docket number 13. Accordingly, the Court finds that the motion should be granted.

Before a competency hearing may be scheduled, however, Defendant must submit to a psychiatric or psychological examination by a licensed or certified psychiatrist or psychologist of the Government’s choosing. In a separate Order filed contemporaneously with the instant Order, the Court has concluded that the examination will be conducted on an out-of-custody basis. The competency hearing requested by Defendant will be scheduled upon receipt of the psychiatric or psychological report prepared following the examination.

ORDER

IT IS THEREFORE ORDERED that the Motion for Hearing (docket number 9) filed by the Defendant on January 13, 2010 is hereby **GRANTED**. The hearing will be

scheduled upon receipt by the Court of a report following Defendant's psychiatric or psychological examination by an expert of the Government's choosing.

DATED this 2nd day of February, 2010.



JON STUART SCOLES
UNITED STATES MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA